



WESTERN MICHIGAN LEGAL SERVICES

Kent • Ionia • Montcalm

89 Ionia, N.W. • Suite 400 • Grand Rapids, MI 49503

Telephone: (616) 774-0672

website: www.wmichls.org

1 (800) 442-2777

FAX: (616) 774-2412

MICHAEL C. CHIELENS, EXECUTIVE DIRECTOR

HOUSE BILL 4327

Testimony of Miriam Aukerman
Soros Justice Fellow, Western Michigan Legal Services

- 30% of adult Americans -- or about 65 million people -- have criminal records for substantial portions of their lives. (Source: National HIRE Network News, Vol. 2, Issue 5, May 2004).
- 2/3 of employers will not knowingly hire an ex-offender. (Source: Urban Institute, *From Prison to Home*, June 2001).
- Only 5% of African American job applicants for entry level jobs are called back for a job interview if the applicants admit to a cocaine possession conviction. (Source: *New York Times*, March 20, 2004, report on University of Wisconsin research).
- At least 1/3 of employers check criminal records prior to hiring. (Source: Urban Institute, *From Prison to Home*, June 2001). This number is likely to increase because records are increasingly available on the Internet.
- HB 4327, by allowing individuals with two misdemeanors to clean up their criminal records, would help move those individuals into the workforce, reduce their dependence on public assistance, and increase the likelihood that they will pay child support.
- The statute includes safeguards to ensure expungements are not given out to those who do not deserve them:
 - The most serious offenses, including first, second or third degree criminal sexual conduct, can never be expunged.
 - Individuals with criminal records must go through a waiting period before obtaining an expungement.
 - Prosecutors, the attorney general, and the victim, if there was one, are notified and can object.
 - An applicant must prove to the judge who originally tried the applicant's case and sentenced that person that the applicant has turned his life around.
 - Records remain available to law enforcement.



A United Way Agency

Area Agency on Aging, Regions IIIA, IV, VIII, XIV
Kent County Senior Millage

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